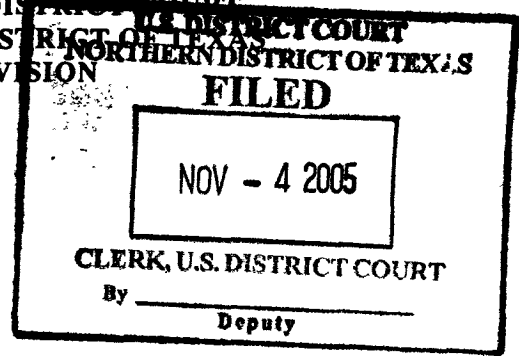


ORIGINAL

IN THE UNITED STATES DISTRICT COURT  
FOR THE Northern DISTRICT OF TEXAS  
Ft Worth DIVISION



Allen Calton  
Plaintiff's name and ID Number  
Bill Clements Unit  
9601 Spur 591  
Place of Confinement Amarillo, Tx, 79107

CASE NO: \_\_\_\_\_  
(Clerk will assign the number)

v.

See attached Pages  
Defendant's name and address

\_\_\_\_\_  
Defendant's name and address

\_\_\_\_\_  
Defendant's name and address  
(DO NOT USE "ET AL.")

Jury Trial Demanded

**4-05 CV-0703-Y**

**I. PREVIOUS LAWSUITS:**

A. Have you filed any other lawsuits in state or federal court relating to your imprisonment? ✓ YES     NO

B. If your answer to "A" is "yes", describe each lawsuit in the space below.  
(If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, giving the same information.)

1. Approximate date of filing lawsuit: See attached Pages

2. Parties to previous lawsuit:  
Plaintiff(s) \_\_\_\_\_

Defendant(s) \_\_\_\_\_

3. Court (If federal, name the district; if state, name the county) \_\_\_\_\_

4. Docket Number: \_\_\_\_\_

5. Name of judge to whom case was assigned: \_\_\_\_\_

6. Disposition: (Was the case dismissed, appealed, still pending?) \_\_\_\_\_

7. Approximate date of disposition: \_\_\_\_\_

## Defendants Names and Addresses

1. Tarrant County Individual and official Capacity  
100 N. Lamar St.  
Fortworth, Tx 76102

2. Dee Anderson Individual and official Capacity  
100. N. Lamar St.  
FortWorth, Tx 76102

3. Tarrant County Hospital J.P.S. Health Network  
1500 South main St.  
FortWorth, Tx 76104

4. David Cecero Individual And official Capacity  
1500 South main St.  
Fortworth, Tx 76104

5. D.M. Stromile Individual and official Capacity  
100. N. Lamar St.  
Fort worth, Tx 76102

## Defendants Names and Addresses

6. Cedric Simon Individual and Official Capacity  
100 N. Lamar St.  
Fortworth, Tx 76102
7. Gayle Gray Individual and Official Capacity  
100 N. Lamar St.  
Fortworth, Tx 76102
8. Lieutenant Christian Individual and Official Capacity  
100 N. Lamar St.  
Fortworth, Tx 76102
9. Eugene L Garcia Individual and Official Capacity  
100 N. Lamar St.  
Fortworth, Tx 76102
10. Richard Closner Individual and Official Capacity  
100 N. Lamar St.  
Fortworth, Tx 76102

## Defendants Names and Addresses

- |     |                      |                                  |
|-----|----------------------|----------------------------------|
| 11. | J. Evans             | Individual and Official Capacity |
|     | 100 N. Lamar St.     |                                  |
|     | Fort Worth, TX 76102 |                                  |
| 12. | Mr. Guadalupe        | Individual and Official Capacity |
|     | 100 N. Lamar St.     |                                  |
|     | Fort Worth, TX 76102 |                                  |
| 13. | Carl Garrett         | Individual and Official Capacity |
|     | 100 N. Lamar St.     |                                  |
|     | Fort Worth, TX 76102 |                                  |
| 14. | Charlie Akomas       | Individual and Official Capacity |
|     | 100 N. Lamar St.     |                                  |
|     | Fort Worth, TX 76102 |                                  |
| 15. | D. Bailey            | Individual and Official Capacity |
|     | 100 N. Lamar St.     |                                  |
|     | Fort Worth, TX 76102 |                                  |

Defendants Names and Addresses

16. Don C. Taylor Individual and Official Capacity  
100 N. Lamar St.  
Fort Worth, TX 76102

17. Mr. Felton Individual and Official Capacity  
100 N. Lamar St.  
Fort Worth, TX 76102

18. Mr. Gracia Individual and Official Capacity  
100 N. Lamar St.  
Fort Worth, TX 76102

19. Ms. Crisp Individual and Official Capacity  
100 N. Lamar St.  
Fort Worth, TX 76102

20. Officer Collier Individual and Official Capacity  
100 N. Lamar St.  
Fort Worth, TX 76102

Defendants Names and Addresses

- |     |                      |                                  |
|-----|----------------------|----------------------------------|
| 21. | Mr. Nieuwehuis       | Individual and Official Capacity |
|     | 100 N. Lamar St.     |                                  |
|     | Fort Worth, Tx 76102 |                                  |
| 22. | Ms Chandler          | Individual and Official Capacity |
|     | 100 N. Lamar St.     |                                  |
|     | Fort Worth, Tx 76102 |                                  |
| 23. | James Waggener       | Individual and Official Capacity |
|     | 100 N. Lamar St.     |                                  |
|     | Fort Worth, Tx 76102 |                                  |
| 24. | Daisy May Jackson    | Individual and Official Capacity |
|     | 100 N. Lamar St.     |                                  |
|     | Fort Worth, Tx 76102 |                                  |
| 25. | Nurse Debbie Fanal   | Individual and Official Capacity |
|     | 100 N. Lamar St.     |                                  |
|     | Fort Worth, Tx 76102 |                                  |

Defendants Names and Addresses

26 Radiologist Curtis Individual and official Capacity  
100 N. Lamar St.  
Fortworth, Tx 76102

27. Nurse Jacqueline Individual and official Capacity  
100 N. Lamar St.  
Fortworth, Tx 76102

28 Mr. Wilson Individual and official Capacity  
100 N. Lamar St.  
Fortworth, Tx 76102

29 Mr. Cole Individual and official Capacity  
100 N. Lamar St.  
Fortworth, Tx 76102

30. Mr. Derusha Individual and official Capacity  
100 N. Lamar St.  
Fortworth, Tx 76102

Defendants Names and Addresses

31. Mr. James Thomas Individual and Official Capacity  
100 N. Lamar St  
Fort Worth, TX 76102

32 Mr. Haber Individual and Official Capacity  
100 N. Lamar St  
Fort Worth, TX 76102

33 Mr. Harrison Individual and Official Capacity  
100 N. Lamar St  
Fort Worth, TX 76102



## I Previous Lawsuits

1. Approximate date of filing lawsuit: October 11, 2002

2. Parties to Previous lawsuit:

Plaintiff - Allen F. Carlton

Defendants - Tarrant County, Sheriff Dee Anderson, Chief Bob Knowles, Lt. Christian, Chief Simon, Lt. Johnson, Lt. West, M. Reagan, JPS Health Network, Eborlath L. Elinjar, Jerry Wimberly, Dr. Felps, Dr. Lowe, Dr. Wagner, Dr. Feagin, Danny Shephard, Tracy Conson, and Jay M. Alt Emp # 7389

3. Court: Northern District of Texas

Ft. Worth Division

4. Docket Number: 4:02-CV-0845-A

5. Name of Judge To whom Case was Assigned

John McBride

6. Disposition: Dismissed for lack of subject matter

Jurisdiction - Pursuant to 28 USC § 1915 A (b)

7. Approximate date of disposition: April 15, 2003

## I Previous Lawsuits

1. Approximate date of filing lawsuit: October 11, 2002

2. Parties to Previous Lawsuit

Plaintiff - Allen F. Carlton

Defendants - City of Garland, Larry Wilson, Lt. K.R. Davis  
Lucas Shupe, M.G. Clark, Demarcus Banda, J. Puckett,  
1st Shift John Doe, 2nd Shift John Doe, 3rd Shift  
John Doe.

3. Court: Northern District of Texas

Dallas Division

4. Docket Number: 3:02-cv-2215-N

5. Name of Judge To whom Case was Assigned:

David C. Godbey

6. Disposition: On Appeal

7. Approximate Date of Disposition: March 7, 2005

## I Previous Lawsuits

1. Approximate date of filing lawsuit: May 8, 2003

2. Parties to Previous Lawsuit:

Plaintiff - Allen F. Carlton

Defendants - J.P.S. Health Network, James Wiggner,  
Matthew Loewen, Dr. Felps, and Mark Weight

3. Court: 348th Judicial District Court

Tarrant County, Texas

401 W. Bellknap St.

Fort Worth, TX 76196

4. Docket Number: 348-198781-03

5. Name of Judge To whom Case was Assigned

348th Judicial District Judge

6. Disposition: Plaintiff voluntarily Non-suited the action

7. Approximate date of Disposition: November 8, 2003

Allen Carlton #1123880  
Bill Clements Unit  
9601 Spur 591

II. PLACE OF PRESENT CONFINEMENT: Amarillo, Tx 79107

III. EXHAUSTION OF GRIEVANCE PROCEDURES:

Have you exhausted both steps of the grievance procedure in this institution? 1 YES    NO  
Attach a copy of the Step 2 grievance with the response supplied by the prison system.

IV. PARTIES TO THIS SUIT:

Allen Carlton #1123880

A. Name of address of plaintiff: Bill Clements Unit  
9601 Spur 591  
Amarillo, Tx 79107

B. Full name of each defendant, his official position, his place of employment, and his full mailing address.

Defendant #1: See attached Pages

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

Defendant #2:   

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

Defendant #3:   

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

Defendant #4:   

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

Defendant #5:   

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

V. STATEMENT OF CLAIM:

State here in a short and plain statement the facts of your case, that is, what happened, where did it happen, when did it happen, and who was involved. Describe how each defendant is involved. You need not give any legal arguments or cite any cases of statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach extra pages if necessary, but remember that the complaint must be stated briefly and concisely. IF YOU VIOLATE THIS RULE, THE COURT MAY STRIKE YOUR COMPLAINT.

See attached Pages

#### IV Parties To This Suit

Defendant #	Individual and Official Capacity
-------------	----------------------------------

Tarrant County 100 N. Lamar St Fortworth, Tx 76102	
--	--

Pursuant to Tarrant County Policy on 2-22-04 Medical Personnel in J.P.S. Health Network emergency room.

Denied the Plaintiff medical attention for his burning eyes and blurred vision. Pursuant to Tarrant County

Policy on 2-28-04 Nurse Jacqueline unqualified medical personnel was allowed to make a determination if the

Plaintiff needed medical attention for burning eyes causing blurred vision. Pursuant to Tarrant County

Policy on 2-28-04 Nurse Debbie Enal unqualified medical personnel was allowed to make a determination. That

the Plaintiff did or did not need emergency medical care. Pursuant to Tarrant County Policy from 2-10-04

through 4-1-04. The plaintiff was denied direct access to the Law Library. The denial was due to Tarrant County Policy of Not Allowing Inmates housed on 55A or 56B direct access to the Law Library.

#### IV Parties To This Suit

Pursuant to Tarrant County Policy from 2-10-04 through 4-1-04. The Plaintiff was placed in 55A and 56B

Twenty Three (23) hours a day lockdown tanks without being served a disciplinary case, given a disciplinary hearing or any disciplinary hearing finding of guilt at any point while on lockdown status for (52) days.

Pursuant to Tarrant County Policy from 5-10-04 through 8-20-04. The Plaintiff was forced to wear a shock Belt throughout a criminal Jury Trial.

Defendant #2

Individual and Official Capacity

Dee Anderson

Tarrant County Sheriff

106 N. Lamar St.

Fort Worth, Tx 76102

Dee Anderson inherited or established a Policy that allowed Nurse Jacqueline unqualified Medical Personnel to make a determination if the Plaintiff needed medical attention for burning eyes causing blurred vision. That allowed Nurse Debbie Fana' unqualified medical personnel to make a determination

#### IV Parties To This Suit

That the Plaintiff did or did not need emergency medical care. For a back injury sustained after a fall. Dee Anderson inherited or established a policy that denied the Plaintiff direct access to the Law Library from 2-10-04 through 4-1-04. Due to Tarrant County Policy of Not Allowing inmates housed in 55A or 56B direct access to the Law Library. Dee Anderson inherited or established that allowed the Plaintiff to be housed in 55A and 56B. Twenty three (23) hours a day lock down tanks. From 2-10-04 through 4-1-04 without being served a disciplinary hearing finding of guilt at any point while on lockdown status for (32) days. Dee Anderson inherited or established a Policy that required the Plaintiff to be outfitted with a shock Belt from 5-10-04 through 5-20-04 during a criminal Jury Trial.

Defendant #3

Tarrant County Hospital J.P.S. Health Network  
1500 South Main St.  
Fort Worth, Tx 76104

#### IV Parties To This Suit

Pursuant to J.P.S. Health Network Policy emergency room medical personnel. Were allowed to discontinue emergency medical care and treatment altogether. when the Plaintiff declined a "Spinal Tap" Procedure on 2-22-04. The emergency room medical personnel then denied the Plaintiff treatment for his burning eyes and blurred vision. Pursuant to J.P.S. Health Network Policy Nurse Jacqueline unqualified medical personnel was allowed to make a determination if the Plaintiff needed medical attention for burning eyes causing blurred vision. Pursuant to J.P.S. Health Network Policy Nurse Debbie Faral unqualified medical personnel was allowed to make a determination. That the Plaintiff did or did not need emergency medical care. After a fall injuring his back.

Defendant # 4

David Cecero                      CEO, J.P.S. Health Network  
1500 South Main St.  
Fortworth, Tx 76104



#### IV Parties To This Suit

David Cecero established or inherited a policy allowing emergency room medical personnel. To discontinue emergency medical care and treatment altogether. When the Plaintiff declined a "Spinal Tap" Procedure on 2-22-04. The emergency room medical personnel then denied the Plaintiff treatment for his burning eyes and blurred vision. Also established or inherited a policy allowing unqualified medical personnel Nurse Jacqueline to make a determination if the Plaintiff needed medical attention for burning eyes causing blurred vision. Also established or inherited a policy allowing unqualified medical personnel Nurse Debbie Fanal to make a determination that the Plaintiff did or did not need emergency medical care after a fall injuring his back.

Defendant # 5

Individual and Official Capacity

D.M. Stromile

Chief Deputy Tarrant County

100 N. Lamar St.

Sheriff Department

Fort Worth, Tx 76102

Support Services

#### IV Parties To This Suit

Chief Stromile Conspired with Sgt. Eugene Garcia and Chief Cedric Simon on 2-10-04 in denying the Plaintiff Access to the Courts and Due Process by moving Plaintiff to a lockdown tank without a disciplinary case or hearing determining guilt. while on lockdown status for (52) days. Chief Stromile also failed after personal conversations, numerous request forms, and grievances to correct the improper housing.

Defendant #6

Individual and Official Capacity

Cedric Simon

Chief Deputy Tarrant County

100 N. Lamar St.

Sheriff Department

Fort Worth, TX 76102

Housing

Chief Simon Conspired with Sgt. Eugene Garcia and Chief Stromile on 2-10-04 in denying the Plaintiff Access to the Courts and Due Process by moving Plaintiff to a lockdown tank without a disciplinary case or hearing determining guilt. while on lockdown status for (52) days. Chief Simon also failed after personal conversations, numerous request

#### IV Parties To This Suit

forms, and grievances to correct the improper housing.

Defendant # 7

Individual and Official Capacity

Gayle Gray # 2441

Lieutenant Deputy Tarrant County

100 N. Lamar St.

Sheriff Department

Fort Worth, Tx 76102

Lt. Gray on 2-10-04 made false accusations in a report, that the Plaintiff had assaulted another inmate. That resulted in the Plaintiff being moved to a (23) hour lockdown tank, without a disciplinary case or disciplinary hearing determining guilt, while on lockdown status for (52) days.

Defendant #8

Individual and Official Capacity

Mr. Christian

Lieutenant Deputy Tarrant County

100 N. Lamar St.

Sheriff Department

Fort Worth, Tx 76102

Classification Supervisor

Lt. Christian gave the orders to D. Bailey for Plaintiff's

#### IV Parties To This Suit

Lockdown housing assignment on 2-10-04. That denied the Plaintiff Access To Courts And Due Process by moving the Plaintiff to a Lockdown Tank without a disciplinary case or disciplinary hearing determining guilt while on lockdown status for (52) days.

Defendant #9

Individual and Official Capacity

Eugene L. Garcia

Sergeant Deputy Tarrant County

100 N. Lamar St.

Sheriff Deputy

Fort Worth, Tx 76102

Sgt. Garcia conspired with Chief Simon and Chief Stronile on 2-10-04 in denying the Plaintiff Access to Courts and Due Process By moving Plaintiff to a lockdown tank without a disciplinary case or hearing determining guilt while on lockdown status for (52) days. Sgt.

Garcia also initiated and approved Plaintiff being moved to a lockdown tank on 2-10-04. On 2-11-04

Sgt. Garcia failed to clear up the false assault allegation. After receiving a report from officer W. Jones informing him there was no such assault

#### IV Parties to this suit

or dispute concerning the Plaintiff and another inmate.

Defendant #10

Individual and Official Capacity

Richard Closner #1551

Sergeant Deputy Tarrant County

100 N. Lamar St.

Sheriff Department

Fort Worth, TX 76102

Richard Closner conspired with J. Evans in giving Officer Gracia the orders to spray the Plaintiff in the face with Pepper Spray on 2-22-04.

Defendant #11

Individual and Official Capacity

J. Evans

Sergeant Deputy Tarrant County

100 N. Lamar St.

Sheriff Department

Fort Worth, TX 76102

J. Evans conspired with Richard Closner in giving Officer Gracia the orders to spray the Plaintiff in the face with Pepper Spray on 2-22-04.

#### IV Parties To This Suit

Defendant # 12

Individual and Official Capacity

Mr. Guadalupe

Congressional Deputy Tarrant County

100 N. Lamar St.

Sheriff Department

Fort Worth, Tx 76102

Cpl. Guadalupe on 2-10-04 personally escorted after ordering the Plaintiff to pack up his property and move to SSA02, therefore denying the Plaintiff Access to Courts And Due Process By moving The Plaintiff to A Lockdown Tank, without a disciplinary case or disciplinary hearing determining guilt, while on lockdown status for (52) days.

Defendant # 13

Individual and Official Capacity

Carl Garrett

Deputy Tarrant County

100 N. Lamar St.

Sheriff Department

Fort Worth, Tx 76102

Carl Garrett on 2-10-04 made and submitted a report containing false allegations, That the Plaintiff had

#### IV Parties To This Suit

assaulted another inmate. That resulted in the Plaintiff being moved to a lockdown tank, without a disciplinary case or disciplinary hearing determining guilt, while on lockdown status for (52) days.

Defendant # 14

Individual and Official Capacity

Charlie Akomas # 65468  
100 N. Lamar St.  
Fort Worth, Tx 76102

Deputy Tarrant County  
Sheriff Department

Charlie Akomas on 2-10-04 made and submitted a report containing false allegations, that the Plaintiff had made threats that would jeopardize officers and inmates safety. That resulted in the Plaintiff being moved to a lockdown tank and placed on assaultive status, without a disciplinary case or disciplinary hearing determining guilt, while on lockdown status for (52) days

#### IV Parties To This Suit

##### Defendant #15

##### Individual and Official Capacity

D. Bailey  
100 N. Lamar St.  
Fortworth, Tx 76102

Deputy Tarrant County  
Sheriff Department  
Classification Officer

D. Bailey made the Lock down housing assignment to SSA02 and 56B on 2-10-04 for the plaintiff, without any disciplinary case or disciplinary hearing determining guilt, while on lockdown status for (52) days.

##### Defendant #16

##### Individual and Official Capacity

Don C. Taylor  
100 N. Lamar St.  
Fortworth, Tx 76102

Deputy Tarrant County  
Sheriff Department

On 2-22-04 Don C Taylor Participated with officers and failed to intervene officers that sprayed the Plaintiff in the face with Pepper Spray.



#### IV Parties To This Suit

Defendant #17

Individual and Official Capacity

Mr. Felton

Deputy Tarrant County

100 N. Lamar St.

Sheriff Department

Fort Worth, Tx 76102

On 2-22-04 Mr. Felton participated with officers and failed to intervene officers that sprayed the Plaintiff in the face with Pepper Spray.

Defendant #18

Individual and Official Capacity

Mr. Gracia

Deputy Tarrant County

100 N. Lamar St.

Sheriff Department

Fort Worth, Tx 76102

On 2-22-04 Officer Gracia Sprayed the Plaintiff in the face with Pepper Spray.

#### IV Parties To This Suit

Defendant # 19

Individual and Official Capacity

MS Crisp

Deputy Tarrant County

106 N. Lamar St.

Sheriff Department

Fort Worth, Tx 76102

On 2-22-04 MS Crisp participated with officers and failed to intervene officers that sprayed Plaintiff in the face with Pepper Spray.

Defendant # 20

Individual and Official Capacity

Mr. Collier

Deputy Tarrant County

100 N. Lamar St

Sheriff Department

Fort Worth, Tx 76102

On 2-22-04 Officer Collier made threats of spraying the Plaintiff with Pepper Spray. Also on 2-22-04 Officer Collier participated with officers and failed to intervene officers that sprayed Plaintiff in the face with Pepper Spray.

#### IV Parties To This Suit

Defendant #21

Individual and Official Capacity

Mr. Nieuwehuis  
100 N. Lamar St  
Fort Worth, Tx 76102

Deputy Tarrant County  
Sheriff Department

On 2-22-04 Mr. Nieuwehuis participated with officers and failed to intervene officers that sprayed Plaintiff in the face with Pepper Spray.

Defendant #22

Individual and Official Capacity

Ms. Chandler  
100 N. Lamar St.  
Fort Worth, Tx 76102

Deputy Tarrant County  
Sheriff Department

Ms Chandler on 2-28-04 assisted other officers and medical personnel to deny the Plaintiff emergency medical care and treatment. Also assisted in removing by dumping the Plaintiff off a back board without any X-Rays, treatment, or an evaluation by qualified Medical Personnel causing further injuries and pain

#### IV Parties To This Suit

Defendant # 23

Individual and Official Capacity

James Waggener MD  
100 N. Lamar St.  
Fort Worth, Tx 76102

J.P.S. Health Network -  
Tarrant County Jail  
Physician

James Waggener on 2-28-04 informed unqualified medical personnel Debbie Fernal over the telephone to deny the Plaintiff emergency medical care.

Defendant # 24

Individual and Official Capacity

Daisy May Jackson  
100 N. Lamar St.  
Fort Worth, Tx 76102

J.P.S. Health Network  
Tarrant County Jail  
Registered Nurse

Ms Jackson on 2-28-04 assisted other officers and medical personnel to deny the Plaintiff emergency medical care and treatment. Also assisted in removing by dumping the Plaintiff off a back board without any X-Rays, treatment, or an evaluation by qualified medical personnel causing further injuries.

#### IV Parties To This Suit

Defendant #25

Individual and Official Capacity

Debbie Fanal  
100 N. Lamar St.  
Fort Worth, TX 76102

J.P.S. Health Network  
Tarrant County Jail  
Registered Nurse

Debbie Fanal on 2-28-04 after speaking with Dr. Waggener over the telephone. Denied the Plaintiff emergency medical care. Also assisted in removing by dumping the Plaintiff off a back board without any X-Rays, treatment, or an evaluation by qualified medical personnel causing further injury and pain.

Defendant #26

Individual and Official Capacity

Radiologist Curtis  
100 N. Lamar St.  
Fort Worth, TX 76102

J.P.S. Health Network  
Tarrant County Jail  
Radiologist

Radiologist Curtis on 2-28-04 assisted other officers and medical personnel to deny the Plaintiff emergency medical care. Also assisted in removing by dumping

### II Parties To This Suit

the Plaintiff off a back board without any X-Rays, treatment, or an evaluation by qualified medical personnel causing further injury and pain.

Defendant #27

Individual and Official Capacity

Nurse Jacqueline

J.P.S. Health Network

100 N. Lamar St.

Tarrant County Jail

Fort Worth, Tx 76102

Registered Nurse

Nurse Jacqueline on 2-28-04 denied the Plaintiff medical attention for his blurred vision and burning eyes, which hours later resulted in the Plaintiff's sustaining a painful back injury.

Defendant # 28

Individual and Official Capacity

Mr. Wilson

Sergeant Deputy Tarrant County

100 N. Lamar St.

Sheriff Department

Fort Worth, Tx 76102

## IV Parties To This Suit

Sergeant Wilson on 2-10-04 personally escorted after ordering the Plaintiff to pack up his property and move to 55 A02. Therefore denying the Plaintiff Access To Courts and Due Process by moving the Plaintiff to a lockdown tank, without a disciplinary case or disciplinary hearing determining guilt, while on lock down status for (52) days.

Defendant # 29

Individual and Official Capacity

Mr. Cole

Bailiff Tarrant County

100 N. Lamar St.

Sheriff Department

Fortworth, Tx 76102

From 5-10-04 through 5-20-04 Mr. Cole forced the Plaintiff to wear a shock Belt throughout a criminal jury trial. That caused extreme discomfort

#### IV Parties To This Suit

Defendant # 30 Individual and Official Capacity

Mr. Derusha Bailiff Tarrant County  
100 N. Lamar St. Sheriff Department  
FortWorth, Tx 76102

From 5-10-04 through 5-20-04 Mr. Derusha forced the Plaintiff to wear a shock Belt throughout a criminal jury trial. That caused extreme discomfort.

Defendant #31 Individual and Official Capacity

Mr. James Thomas Bailiff Tarrant County  
100 N. Lamar St. Sheriff Department  
FortWorth, Tx 76102

From 5-10-04 through 5-20-04 Mr. Thomas forced the Plaintiff to wear a shock Belt throughout a criminal jury trial. That caused extreme discomfort.



#### IV Parties To This Suit

Defendant #32

Individual and Official Capacity

Mr. Haber

Bailiff Tarrant County

100 N. Lamar St.

Sheriff Department

Fort Worth, Tx 76102

From 5-10-04 through 5-20-04 Mr. Haber forced the Plaintiff to wear a shock Belt throughout a criminal jury trial. That caused extreme discomfort.

Defendant #33

Individual and Official Capacity

Corporal Harrison

Corporal Deputy Tarrant County

100 N. Lamar St.

Sheriff Department

Fort Worth, Tx 76102

On 2-28-04 Cpl. Harrison ordered the Plaintiff back to his cell without any assistance from officers. The Plaintiff had just completed a visit with a family member and had to be escorted to the visitation booth with one hand

#### IV Parties To This Suit

On an officers shoulder due to vision impairment plaintiff tried explaining to Cpl. Harrison that he had trouble seeing but the Corporal ordered him to his cell. The Plaintiff complied out of fear due to the continuous bias treatment from deputies. The Plaintiff then tripped over an object in the hallway sustaining a painful back injury.

## IV Statement Of Claim

### (1) Tarrant County

(A) Pursuant to Tarrant County Policy on 2-22-04 medical Personnel in J.P.S. Health Network Emergency Room. Denied the Plaintiff medical Attention for his burning eyes and blurred vision, which resulted from the Plaintiff being sprayed in the eyes with Caprium Pepper Spray. J.P.S. emergency room officials informed the Plaintiff that if he declined the "Spinal Tap" Procedure he would also be denied treatment for his eye injury pursuant to hospital policy. In spite of the fact that the Plaintiff vision was impaired and the pain from the burning sensation was intense. The pain lasted several days and deprived plaintiff of sleep and confined him to his bed because of vision impairment while trying to retrieve mail on 2-27-04. Plaintiff tripped over his toilet due to impaired vision and bumped his head which resulted in an epileptic seizure and had to be transported to Harris Hospital emergency room. At which time Plaintiff finally received treatment for his eye injury and had his eyes flushed. Plaintiff was also subsequently prescribed eye drops on 3-4-04, 3-23-04, and 5-27-04. The Plaintiff currently experiences occasional blurred vision. Plaintiff also continues to suffer from epileptic seizures and has been prescribed Dilantin an anti-seizure medication.

#### V Statement Of Claim

Denial of medical care resulted in additional permanent and adverse injuries and was in violation of Plaintiff Right to Due Process.

(B) Pursuant to Tarrant County Policy on 2-27-04 Nurse Jacqueline unqualified medical personnel was allowed to deny the Plaintiff medical attention for his burning eyes and blurred vision. See Exhibit "F" hereto attached and incorporated. In spite of the fact that Plaintiff was in a lot of pain and had to be escorted to her for evaluation while holding onto an officer's shoulder due to his impaired vision. Plaintiff had lost sleep due to the intense pain and was confined to his bed due to vision impairment. Hours later on 2-27-04 after being denied medical care by Nurse Jacqueline Plaintiff tried to retrieve his mail and tripped over his toilet because he did not see it. Plaintiff fell and bumped his head and sustained an epileptic seizure. Was transported by Ambulance to Harris Hospital. Finally receiving eye treatment and had his eyes flushed. Plaintiff was also prescribed eye drops on 3-4-04, 3-24-04, and 5-7-04. The Plaintiff currently experiences occasional blurred vision. Plaintiff also continues to suffer from epileptic seizures and has been prescribed Dilantin an anti-seizure medication. Denial of medical care resulted

## V Statement Of Claim

in additional permanent and adverse injuries and was in violation of Plaintiff's right to Due Process.

(C) Pursuant to Tarrant County Policy on 2-28-04 Nurse Debbie Fomal unqualified medical personnel was allowed to deny the Plaintiff emergency medical care for his eye injury and painful back injury sustained after a fall - See Exhibit "D" hereto attached and incorporated. She did so after speaking with Physician James Waggener over the phone. She then denied the Plaintiff emergency medical care. In spite of the fact Plaintiff was in severe pain from the eye injury and back injury - Plaintiff was finally seen by an orthopedic doctor (3) days later, who prescribed Vicodin for the intense pain from the back injury. Plaintiff was also prescribed eye drops on 3-4-04, 3-21-04, and 5-7-04. Plaintiff was also prescribed Flexeril and motrin while he was in the infirmary for (30) days confined to his bed. Plaintiff's painful injury also required him to use a wheel chair. Due to pain he experienced from attempting to stand or walk, Plaintiff missed meals the three days he was denied medical attention and also missed several other meals while in the infirmary and lost (40) pounds in (30) days due to pain. Plaintiff was also forced to urinate

## V Statement Of Claim

and defecate on himself due to the inability to stand or walk. Ms. Fernal also assisted in dumping Plaintiff off of the back board he was placed on after the accident. While being dumped off of the back board Plaintiff felt a pop and a sharp pain shoot down his leg. Which requires Plaintiff to currently take over the counter medication for pain relief, Plaintiff also currently experiences occasional blurred vision. Denial of emergency medical care resulted in additional permanent and adverse injuries and was in violation of Plaintiff's  
1 Right to Due Process.

(D.) Plaintiff was housed on 55A and 56B from 2-10-04 through 4-1-04. This was pursuant to a Tarrant County Policy that could house inmates inmates on 55A or 56B  
(23) how a day punitive lockdown tanks in the Tarrant County Jail. without any type of notice of any

#### IV Statement Of Claim

type of rule violation, disciplinary case, or disciplinary hearing determining guilt of any rule violation. See Exhibit "B" page 1 and 2 hereto attached and incorporated. Such action was in violation of Plaintiff's Right to Due Process.

(E.) Plaintiff was denied Access To Courts from 2-10-04 through 4-1-04. The denial was due to Plaintiff being housed on 55A and 56B due to false allegations. Inmates housed on 55A or 56B without Due Process of any notice of rule violation, disciplinary case or disciplinary hearing weren't allowed direct access to the Law Library. This was Pursuant to a Tarrant County Policy. See Exhibit " " page 1 and 2 hereto attached and incorporated. Plaintiff attempted to utilize the Law Library cell delivery system but frequently would receive the requested material very late or would not receive it at all. Due to this denial of access to Court, Plaintiff was prejudiced due to having to waive a Speedy Trial Hearing on 2-12-04 and a Suppression Hearing on 2-26-04. At the time Plaintiff was a ProSe Defendant and did not have any assistance from an attorney. While representing himself in a criminal

## V Statement Of Claim

Matter This Violated the Plaintiff's Right to Self Representation, Effective Assistance Of Counsel, and Due Process.

(F.) Officers Decuska, Thomas, Cole, and Haber informed the Plaintiff that Pursuant to Tarrant County Policy he would be forced to wear a Shock Belt throughout his criminal Jury Trial from 5-10-04 through 5-20-04. Plaintiff repeatedly informed the officers that he would occasionally feel a tingling sensation while he wore the Shock Belt during the trial. The officers insisted the Plaintiff continue wearing the shock Belt but did take photographs of the Plaintiff's body. Plaintiff was prejudiced due to the distractions from the Shock Belt during the trial. Failed to effectively examine witnesses as well as call several subpoenaed witnesses to testify to support his automatism defense. Resulting in a life sentence the Plaintiff received in violation of his right to Self Representation, Effective Assistance Of Counsel, and Due Process.

(G.) Dee Anderson



## V Statement Of Claim

(A.) Pursuant to A policy established or inherited by Dee Anderson, Nurse Jacqueline unqualified medical Personnel was allowed to deny the Plaintiff medical attention for his burning eyes and blurred vision. See Exhibit "F" hereto attached and incorporated. In spite of the fact that Plaintiff was in alot of pain and had to be escorted to her for evaluation, while holding onto an Officer's shoulder due to his impaired vision, Plaintiff had lost sleep because of the intense pain and was confined to his bed due to the vision impairment. Hours later on 2-27-04 after being denied medical care by Nurse Jacqueline, Plaintiff tried to retrieve his mail and tripped over his toilet because he did not see it. Plaintiff fell and bumped his head and sustained an epileptic seizure. Was transported by Ambulance to Harris Hospital. Finally receiving eye treatment and had his eyes flushed. Plaintiff was also prescribed eye drops on 3-4-04, 3-23-04, and 5-7-04. The Plaintiff currently experiences occassional blurred vision. Plaintiff also continues to suffer from epileptic seizures and has been prescribed Dilantin an anti-seizure medication. Denial of medical care resulted in additional permanent injuries and was

## V Statement Of Claim

in violation of Plaintiff's right to Due Process.

(B.) Pursuant to A Policy Dee Anderson established or inherited. Nurse Debbie Fanal unqualified medical personnel was allowed to deny Plaintiff emergency medical care for his eye injury and painful back injury sustained after a fall. See Exhibit "D" hereto attached and incorporated. She did so after speaking with Physician James Waggener over the telephone. She then denied the Plaintiff emergency medical care. In spite of the fact Plaintiff was in severe pain from the eye injury and back injury. Plaintiff was finally seen by an Orthopedic Doctor (3) days later. who prescribed Vicodin for the intense pain from the back injury. Plaintiff was also prescribed eye drops on 3-4-04, 3-23-04, and 5-7-04. Plaintiff was also prescribed Flexeril and Motrin while he was in the infirmary for (30) days confined to his bed. Plaintiff's painful injury also required him to use a wheel chair. Due to the pain he experienced from attempting to stand or walk. Plaintiff missed meals because he could not get up the three days he was denied medical care. Plaintiff missed several other meals because of the pain. While in the infirmary for (30) days and lost (40) pounds. Plaintiff was also forced to urinate and defecate on himself due to the inability to

## V. Statement Of Claim

Stand or walk. Ms Fanal also assisted in dumping the plaintiff off of the back board he was placed on after the accident. while being dumped off of the back board plaintiff felt a pop and sharp pain shoot down his leg. which requires plaintiff to currently take over the counter medication for pain relief. Plaintiff also currently experiences occasional blurred vision. Denial of emergency medical care resulted in additional permanent and adverse injuries and was in violation of Plaintiff's right to Due Process.

(C.) Plaintiff was housed on 55A and 56B from 2-10-04 through 4-1-04. Pursuant to a policy see Anderson established or inherited that allowed inmates to be housed on 55A or 56B (23) hour a day punitive lock down tanks in the Tarrant County Jail. without any type of notice of any type of rule violation, disciplinary case, or disciplinary hearing determining guilt of any rule violation. See Exhibit "B" page 1 and 2 hereto attached and incorporated. Such action was in violation to Plaintiff's right to Due Process.

(D.) Plaintiff was denied Access To Courts from

## V Statement Of Claim

2-10-04 through 4-1-04. The denial was due to the Plaintiff being housed on 55A and 56B due to false allegations. Inmates housed on 55A or 56B without due process of any notice of rule violation, disciplinary, or disciplinary hearing, weren't allowed direct access to the Law Library. This was pursuant to a Policy established or inherited by Dee Anderson. See Exhibit "B" page 1 and 2 hereto attached and incorporated. Plaintiff attempted to utilize the Law Library Cell delivery system but frequently would receive the requested material very late or would not receive it at all. Due to this denial of access to court, Plaintiff was prejudiced due to having to waive a Speedy Trial Hearing on 2-12-04 and a Suppression Hearing on 2-26-04. At the time Plaintiff was a Prose defendant and did not have any assistance from an attorney, while representing himself in a criminal matter. This violated the Plaintiff's Right to Self Representation, Effective Assistance Of Counsel, and Due Process.

(F) Officers Derusha, Thomas, Cole, and Haber informed the Plaintiff that pursuant to a Policy established or inherited by Dee Anderson he would be forced to wear

## V Statement Of Claim

a Shock Belt throughout his Criminal Jury Trial from 5-10-04 through 5-20-04. Plaintiff repeatedly informed the officers that he would occasionally feel a tingling sensation. While he wore the Shock Belt during the trial, The officers insisted the Plaintiff continue wearing the Shock Belt but did take photographs of the Plaintiff's body. Plaintiff was prejudiced due to the distractions from the Shock Belt during the trial. Failed to effectively examine witnesses as well as call several subpoenaed witnesses to testify to support his automatism defense. Resulting in a life sentence. The Plaintiff received in violation of his right to Self Representation, Effective Assistance of Counsel, and Due Process.

### (3.) Tarrant County Hospital J. P. S. Health Network

(A.) Pursuant to Tarrant County Hospital J. P. S. Health Network  
on 2-22-04 Medical Personnel in J. P. S. Health Network Emergency Room. Denied the Plaintiff medical Attention for his burning eyes and blurred vision. Which resulted from the Plaintiff being Sprayed in the eyes with Capsicum Pepper Spray. J. P. S. emergency room officials informed

## V Statement Of Claim

the Plaintiff that if he declined the "Spinal Tap" Procedure he would also be denied treatment for his eye injury pursuant to hospital policy. In spite of the fact that the Plaintiff vision was impaired and the pain from the burning sensation was intense. The pain lasted several days and deprived plaintiff of sleep and confined him to his bed because of vision impairment, while trying to retrieve mail on 2-27-04. Plaintiff tripped over his toilet due to impaired vision and bumped his head which resulted in an epileptic seizure and had to be transported to Harris Hospital Emergency Room. At which time Plaintiff finally received treatment for his eye injury and had his eyes flushed. Plaintiff was also subsequently prescribed eye drops on 3-4-04, 3-23-04, and 5-7-04. The Plaintiff currently experiences occasional blurred vision. Plaintiff also continues to suffer from epileptic seizures and has been prescribed Dilantin an anti-seizure medication. Denial of medical care resulted in additional permanent and adverse injuries and was in violation of Plaintiff Right to Due Process.

(B) Pursuant to Tarrant County Hospital J.P.S. Health Network on 2-27-04. Nurse Jacqueline unqualified medical personnel was allowed to deny the Plaintiff medical attention for his burning eyes and blurred vision. See Exhibit "F" hereto

## IV Statement Of Claim

attached and incorporated. In spite of the fact that Plaintiff was in a lot of pain and had to be escorted to her for evaluation, while holding on to an officers shoulder due to his impaired vision. Plaintiff had lost sleep due to the intense pain and was confined to his bed due to vision impairment. Hours later on 2-27-04 after being denied medical care by Nurse Jacqueline Plaintiff tried to retrieve his mail and tripped over his toilet because he did not see it. Plaintiff fell and bumped his head and sustained an epileptic seizure, was transported by Ambulance to Harris Hospital. Finally receiving eye treatment and had his eyes flushed. Plaintiff was also prescribed eyes drops on 3-4-04, 3-24-04, and 5-7-04. The Plaintiff currently experiences occasional blurred vision. Plaintiff also continues to suffer from epileptic seizures and has been prescribed Dilantin as anti-seizure medication. Denial of medical care resulted in additional permanent and adverse injuries and was violation of Plaintiff's right to Due Process.

(C.) Pursuant to Tarrant County Hospital J.P.S. Health Network on 2-28-04, Nurse Debbie Fomal unqualified medical personnel

## V Statement Of Claim

was allowed to deny the Plaintiff emergency medical care for his eye injury and painful back injury sustained after a fall. See Exhibit "D" hereto attached and incorporated. She did so after speaking with physician James Waggener over the telephone. She then denied the Plaintiff emergency medical care. In spite of the fact Plaintiff was in severe pain from the eye injury and back injury, Plaintiff was finally seen by an orthopedic doctor (3) days later, who prescribed Vicodin for the intense pain from the back injury. Plaintiff was also prescribed eye drops on 3-4-04, 3-24-04, and 5-7-04. Plaintiff was also prescribed Flexeril and Motrin while he was in the infirmary for (30) days confined to his bed. Plaintiff's painful injury also required him to use a wheel chair. Due to pain he experienced from attempting to stand or walk, Plaintiff missed meals the three days he was denied medical attention and also missed several other meals while in the infirmary and lost (40) pounds in (30) days due to pain. Plaintiff was also forced to urinate and defecate on himself due to the inability to stand or walk. Ms Fanaal also assisted in dumping Plaintiff off of the back board he was placed on after the accident. While being dumped off of the back board Plaintiff felt a pop and a sharp pain shoot down his leg, which requires Plaintiff to



## IV Statement of Claim

currently take over the counter medication for pain relief. Plaintiff also currently experiences occasional blurred vision. Denial of emergency medical care resulted in additional permanent and adverse injuries and was in violation of Plaintiff's Right to Due Process.

(4.) Pursuant to a policy established or inherited by David Cecero medical personnel in the J.P.S. Health Network Emergency Room Denied the Plaintiff medical care on 2-22-04 for burning eyes and blurred vision, which resulted from the Plaintiff being sprayed in the eyes with Capsicum Pepper Spray. J.P.S. emergency room officials informed the Plaintiff that if he declined the "Spinal Tap" Procedure he would also be denied treatment for his eye injury pursuant to hospital policy. In spite of the fact that the Plaintiff vision was impaired and the pain from the burning sensation was intense. The pain lasted several days and deprived Plaintiff of sleep and confined him to his bed because of vision impairment, while trying to retrieve mail on 2-27-04. Plaintiff tripped over his toilet due to impaired vision and dumped his head which resulted in epileptic seizure and had to be transported to Harris Hospital Emergency Room. At which time Plaintiff finally received treatment for his eye injury and had his eyes flushed. Plaintiff was also subsequently

## V Statement Of Claim

prescribed eye drops on 3-4-04, 3-23-04, and 5-7-04. The Plaintiff currently experiences occasional blurred vision. Plaintiff also continues to suffer from epileptic seizures and has been prescribed Dilantin on anti-seizure medication. Denial of medical care resulted in additional permanent and adverse injuries and was in violation of Plaintiff right to Due Process.

(B.) Pursuant to a Policy established or inherited by David Cecero Nurse Jacqueline unqualified medical personnel was allowed to deny the Plaintiff medical attention for his burning eyes and blurred vision. See Exhibit "F" hereto attached and incorporated. In spite of the fact that Plaintiff was in a lot of pain and had to be escorted to her for evaluation. While holding onto an officers shoulder due to his impaired vision. Plaintiff had lost sleep due to the intense pain and was confined to his bed due to vision impairment. Hours later on 2-27-04 after being denied medical care by Nurse Jacqueline. Plaintiff tried to retrieve his mail and tripped over his toilet because he did not see it. Plaintiff fell and bumped his head and sustained an epileptic seizure. Was transported by ambulance to Harris Hospital. Finally receiving eye treatment and had his eyes flushed. Plaintiff was also

## V Statement of Claim

prescribed eye drops on 3-1-04, 3-24-04, and 5-7-04. The Plaintiff currently experience occasional blurred vision. Plaintiff also continues to suffer from epileptic seizures and has been prescribed Dilantin an anti-seizure medication. Denial of medical care resulted in additional permanent and adverse injuries and was in violation of Plaintiff's right to Due Process.

(C.) Pursuant to a policy established or inherited by David Cecero. Nurse Debbie Fanal unqualified medical Personnel was allowed to deny Plaintiff emergency medical care for his eye injury and painful back injury sustained after a fall. See Exhibit "D" hereto attached and incorporated. She did so after speaking with Physician James Waggener over the telephone. She then denied the Plaintiff emergency medical care. In spite of the fact Plaintiff was in severe pain from the eye injury and back injury. Plaintiff was finally seen by an orthopedic doctor (3) days later, who prescribed Vicodin for the intense pain from the back injury. Plaintiff who also prescribed Flexeril and Motrin. While he was in the infirmary for (30) days confined to his bed, Plaintiff's painful injury also required him to use a wheel chair.

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Due to the pain he experienced from attempting to stand or walk. Plaintiff missed meals because he could not get up the three days he was denied medical care. Plaintiff missed several other meals because of the pain while in the infirmary for (30) days and lost (40) pounds. Plaintiff was also forced to urinate and defecate on himself due to the inability to stand or walk. Ms. Faral also assisted in dumping the Plaintiff off of the back board he was placed on after the accident. While being dumped off of the back board Plaintiff felt a pop and sharp pain shoot down his leg. Which requires Plaintiff to currently take over the counter medication for pain relief. Plaintiff also currently experiences occasional blurred vision. Denial of emergency medical care resulted in additional permanent and adverse injuries and was in violation of Plaintiff's right to Due Process.

### (5) D.M. Stromile

Mr. Stromile conspired with Mr. Gracia and Mr. Simon on 2-10-04 in denying the Plaintiff Access to the Courts, Self Representation, effective assistance of Counsel and Due Process. By moving the

## V Statement Of Claim

Plaintiff to a lockdown tank without a disciplinary case or hearing determining guilt. while on lockdown status for (52) days. All three officers had a conversation concerning Plaintiff's previous lawsuit against the County and his desire to file a new lawsuit against Tarrant County. Mr. Stromile also failed after personal conversations, numerous request forms, and grievances to correct the improper housing. That denied the Plaintiff direct access to the Law Library.

### (c) Cedric Simon

Mr. Simon conspired with Sgt. Garcia and Mr. Stromile on 2-10-04 in denying the Plaintiff Access to the Courts, Self Representation, effective assistance of Counsel and Due Process. By moving the Plaintiff to a lockdown tank without a disciplinary case or hearing determining guilt. while on lockdown status for (52) days. All three officers had a conversation concerning Plaintiff's previous lawsuit against the County and his desire to file a new lawsuit against Tarrant County. Mr. Simon also failed after personal conversations, numerous request forms, and grievances to correct the improper housing. That denied the Plaintiff direct access to the Law Library.

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### (7) Gayle Gray

Lt. Gray on 2-10-04 made false accusations in a report. That the Plaintiff had assaulted another inmate. That resulted in the Plaintiff being moved to a (23) hour lockdown tank. without a disciplinary case or disciplinary hearing determining guilt while on lockdown status for (52) days which denied the Plaintiff direct access to the Law Library. In violation of Plaintiff's Right to Access To Courts, Self Representation, effective assistance of counsel, and Due Process.

### (8) Lieutenant Christian

Lt. Christian gave the orders to D. Bailey for Plaintiff's Lockdown housing assignment on 2-10-04. The move was to a (23) hour lockdown tank without a disciplinary case or disciplinary hearing determining guilt while on lockdown status for (52) days. which denied the Plaintiff direct access to the Law Library. In violation of Plaintiff's right to Access to Courts, Self Representation, effective assistance of counsel, and Due Process.

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### (9.) Eugene L. Garcia

Mr. Garcia conspired with Mr. Simon and Mr. Stronile on 2-10-04 in denying the Plaintiff Access To Courts, Self Representation, effective assistance of Counsel, and Due Process. By moving the Plaintiff to a lockdown tank without a disciplinary case or hearing determining guilt. While on lockdown status for (52) days. All three officers had a conversation concerning Plaintiff's Previous Lawsuit against the County and his desire to file a new lawsuit against the county. Mr. Garcia also failed to clear up the false assault allegation that resulted in the improper punitive housing assignment even after receiving a report from Officer W. Jones on 2-11-04. Informing him that there was no assault committed by Plaintiff. The lockdown housing assignment denied the Plaintiff direct access to the Law Library. In violation of Plaintiff's right to Access To Courts, Self Representation, effective assistance of Counsel, and Due Process.

### (10.) Richard Closner #1551

Mr. Closner conspired with Mr. J. Evans in giving

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Officer Gracia the orders to Spray the Plaintiff in the face with Capsicum Pepper Gas on 2-22-04. The two supervisory officials spoke briefly with all the officers before the Plaintiff was sprayed in the face, while standing in his cell in the Tarrant County Jail. In violation of Plaintiff's Right to Due Process.

### (11.) J. Evans

Mr. Evans conspired with Mr. Closer in giving officer Gracia the orders to Spray the Plaintiff in the face with Capsicum Pepper Gas on 2-22-04. The two Supervisory officials spoke briefly with all the officers before the Plaintiff was sprayed in the face, while Plaintiff was standing in his cell in the Tarrant County Jail. In violation of Plaintiff's Right to Due Process.

### (12) Mr. Guadalupe

Mr. Guadalupe on 2-10-04 personally escorted after ordering the Plaintiff to pack up his property and move to 55 A02. A (23) hour a day punitive lockdown tank, without a



## V Statement Of Claim

disciplinary case or hearing determining guilt. The lockdown housing assignment denied the Plaintiff direct access to the Law Library. In violation of Plaintiff's right to Access to Court, Self Representation, effective assistance of counsel, and Due Process.

### (13.) Carl Garrett

Mr. Garrett on 2-10-04 made and submitted a report containing false allegations. That the Plaintiff had assaulted another inmate. Due to the false allegations contained in the report the Plaintiff was moved to a (23) hour a day punitive lock-down tank in the Tarrant County Jail. without a disciplinary case or hearing determining guilt. while on lockdown status for (32) days which denied the Plaintiff direct access to the law library. In Violation of Plaintiff's right to Access to Court, Self Representation, effective assistance of counsel, and Due Process

### (14.) Charlie Akomas # 65468

Mr. Akomas on 2-10-04 made and submitted a report containing false allegations. That the Plaintiff made threats that would jeopardize officers and inmates safety. Due to the false

## V Statement Of Claim

allegations contained in the report the Plaintiff was moved to a (23) hour a day punitive lockdown tank in the Tarrant County Jail. Without a disciplinary case or hearing determining guilt. While on lockdown status for (52) days. Which denied the Plaintiff direct access to the Law Library. In violation of Plaintiff's right to Access to Court, Self Representation, effective assistance of counsel, and Due Process.

### (15.) D. Bailey

D. Bailey made the housing assignment on 2-10-04. The move was to a (23) hour lock down tank in the Tarrant County Jail. Without a disciplinary case or hearing determining guilt. While on lockdown status for (52) days. Which denied the Plaintiff direct access to the Law Library. In violation of Plaintiff's right to Access to Court, Self Representation, effective assistance of counsel and Due Process.

### (16.) Don C. Taylor

On 2-22-04 Mr. Taylor participated with officers who pepper sprayed the Plaintiff. While the Plaintiff was standing in his

## V Statement Of Claim

his cell in the Tarrant County Jail. Mr. Taylor also failed to prevent or intervene the Plaintiff from being sprayed in the eyes with Capsium Pepper Gas. In Violation of Plaintiff's Due Process Rights.

### (17.) Mr. Felton

On 2-22-04 Mr. Felton participated with officers who pepper sprayed the Plaintiff, while the Plaintiff was standing in his cell in the Tarrant County Jail. Mr. Felton also failed to prevent or intervene the Plaintiff from being sprayed in the eyes with Capsium Pepper Gas. In Violation of Plaintiff's Due Process Rights.

### (18.) Mr. Gracia

On 2-22-04 Mr. Gracia Pepper sprayed the Plaintiff in the eyes, while the Plaintiff was standing in his cell. In Violation of Plaintiff's Due Process Rights

### (19.) Ms. Crisp

## V Statement Of Claim

On 2-22-04 Ms Crisp participated with officers who pepper sprayed the Plaintiff while the Plaintiff was standing in his cell in the Tarrant County Jail. Ms Crisp also failed to prevent or intervene the Plaintiff from being Sprayed in the eyes with Capsicum Pepper Gas. In Violation of Plaintiff's Due Process Rights.

### (20) Mr. Collier

On 2-22-04 Mr. Collier participated with officers who pepper sprayed the Plaintiff while the Plaintiff was standing in his cell in the Tarrant County Jail. Mr. Collier also failed to prevent or intervene the Plaintiff from being Sprayed in the eyes with Capsicum Pepper Gas. In Violation of Plaintiff's Due Process Rights.

### (21) Mr. Nieuwehuis

On 2-22-04 Mr. Nieuwehuis participated with officers who pepper sprayed the Plaintiff while the Plaintiff was standing in his cell in the Tarrant County Jail. Mr. Nieuwehuis also failed to prevent or intervene the Plaintiff from being

## V Statement Of Claim

Sprayed in the eyes with Capsicum Pepper Gas, IN  
Violation of Plaintiff's Due Process Rights.

### (22) Ms Chandler

In the Tarrant County Jail on 2-28-04 Ms Chandler assisted other officers and medical personnel to deny the Plaintiff emergency medical care and treatment. Also assisted in removing by dumping the Plaintiff off of a back board without any X-Rays, treatment, or an evaluation by qualified medical personnel causing further injuries and pain. In violation of Plaintiff's Right to Due Process.

### (23) James Waggener

Dr. Waggener on 2-28-04 informed unqualified medical personnel Debbie Fasal to deny the Plaintiff emergency medical care. For a back injury and leg injury sustained after a fall in the Tarrant County Jail. Dr. Waggener informed Ms Fasal over the telephone that the Plaintiff did not need emergency medical care. In violation of Plaintiff's Right to Due Process.

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(24) Daisy May Jackson

In The Tarrant County Jail on 2-28-04 Ms Jackson assisted other officers and medical personnel to deny the Plaintiff emergency medical care and treatment. Also assisted in removing by dumping the Plaintiff off of a back board without any X-Rays, treatment, or an evaluation by qualified medical Personnel causing further injuries and pain. In violation of Plaintiff's Right to Due Process.

(25) Debbie Fanal

On 2-28-04 in the Tarrant County Jail Ms Fanal unqualified medical personnel denied the Plaintiff emergency medical care for his eye injury and painful back injury sustained after a fall. She did so after speaking with Dr. Waggoner over the telephone. She then denied the Plaintiff emergency medical care. In spite of the fact Plaintiff was in severe pain from the eye injury and back injury. Plaintiff was finally seen by an Orthopedic doctor (3) days later. Who prescribed Vicodin for the intense pain from the back injury. Plaintiff was also prescribed eye drops on 3-4-04, 3-23-04, and 5-7-04.

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Plaintiff was also prescribed Flexeril and Motrin while he was in the infirmary for (30) days confined to his bed. Plaintiff's painful injury also required him to use a wheel chair. Due to pain he experienced from attempting to stand or walk. Plaintiff missed meals the three days he was denied medical attention and also missed several meals while in the infirmary and lost (40) pounds in (30) days due to pain. Plaintiff was also forced to urinate and defecate on himself due to the inability to stand or walk. Ms Ford also assisted in dumping Plaintiff off of the back board he was placed on after the accident. While being dumped off of the back board Plaintiff felt a pop and a sharp pain shoot down his leg. Which requires Plaintiff to currently take over the counter medication for pain relief. Plaintiff also currently experiences occasional blurred vision. Denial of emergency medical care resulted in additional permanent and adverse injuries and was in violation of Plaintiff's Right to Due Process.

### (26.) Radiologist Curtis

In the Tarrant County Jail on 2-28-04 Radiologist Curtis assisted other officers and medical personnel to deny the Plaintiff emergency

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medical care and treatment. Also assisted in removing by dumping the Plaintiff off of a back board without any X-Rays, treatment, or an evaluation by qualified medical personnel causing further injuries and pain. In violation of Plaintiff's Right to Due Process.

### (27.) Nurse Jacqueline

On 2-27-04 in the Tarrant County Jail Nurse Jacqueline unqualified medical personnel denied the Plaintiff medical attention for his burning eyes and blurred vision. In spite of the fact Plaintiff was in alot of pain and had to be escorted to her for evaluation. While holding on to an officers shoulder due to his impaired vision. Plaintiff had lost sleep due to the intense pain and was confined to his bed due to vision impairment. Hours later on 2-27-04 after being denied medical care by Nurse Jacqueline Plaintiff tried to retrieve his mail and tripped over his toilet because he did not see it. Plaintiff fell and bumped his head and sustained an epileptic seizure. was transported by Ambulance to Harris Hospital. Finally receiving eye treatment and had his eyes flushed. Plaintiff was also prescribed eye drops on 3-4-04,



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3-24-04, and 5-7-04. The Plaintiff currently experiences occasional blurred vision. Plaintiff also continues to suffer from epileptic seizures and has been prescribed Dilantin an anti-seizure medication. Denial of medical care resulted in additional permanent and adverse injuries and was in violation of Plaintiff's right to Due Process.

#### (28.) Mr. Wilson

Mr. Wilson on 2-10-04 personally escorted after ordering the Plaintiff to pack up his property and move to 55 A02 A (23) hour a day punitive lock down tank, without a disciplinary case or hearing determining guilt. The lockdown housing assignment denied the Plaintiff direct access to the law library. In violation of Plaintiff's right to Access To Courts, Self Representation, effective assistance of Counsel, and Due Process.

#### (29.) Mr. Cole

On 5-10-04 through 5-20-04 in the 213TH Judicial Court in Tarrant County, Texas Mr. Cole forced the Plaintiff to wear a shock belt throughout a criminal

## VI Statement Of Claim

Jury Trial. In spite of the fact that Plaintiff had made complaints to Mr. Cole about a tingling sensation that occurred occasionally while the Plaintiff wore the shock belt. The shock belt was a distraction to the Plaintiff and prejudiced the Plaintiff's defense resulting in the Plaintiff receiving a life sentence. Due to the fact the Plaintiff was a Prose Defendant without any assistance from an attorney at anytime during the trial. Due to the distracting Shock belt Plaintiff failed to effectively direct examine and cross examine witnesses. Plaintiff also failed to call subpoenaed witnesses to support his defense. Forcing the Plaintiff to wear a malfunctioning Shock belt was in violation of Plaintiff's Right to Due Process, effective assistance of Counsel, Self Representation and Access To Courts.

### (30) Mr. Derusha

On 5-10-04 through 5-20-04 in the 213TH Judicial Court in Tarrant County, Texas. Mr. Derusha forced the Plaintiff to wear a shock belt throughout a criminal Jury Trial. In spite of the fact that Plaintiff had made complaints to Mr. Derusha about a tingling sensation that occurred occasionally while

## V Statement Of Claim

the Plaintiff wore the shock belt. The shock belt was a distraction to the Plaintiff and prejudiced the Plaintiff defense resulting in Plaintiff receiving a life sentence. Due to the fact the plaintiff was a pro se defendant without any assistance from an attorney at anytime during the trial. Due to the distracting shock belt Plaintiff failed to effectively direct examine and cross examine witnesses. Plaintiff also failed to call suppressed witnesses to support his defense. Forcing the Plaintiff to wear a malfunctioning shock belt was in violation of Plaintiff's Right to Due Process, effective assistance of counsel, Self Representation, and Access To Court.

### (31) Mr. James Thomas

On 5-10-04 through 5-20-04 in the 213th Judicial Court in Tarrant County, Texas, Mr. Thomas forced the Plaintiff to wear a shock belt throughout a criminal Jury Trial. In spite of the fact that Plaintiff had made complaints to Mr. Thomas about a tingling sensation that occurred occasionally while the Plaintiff wore the shock belt. The shock belt was a distraction to the Plaintiff and prejudiced the Plaintiff defense resulting in Plaintiff receiving a life sentence. Due to the fact the Plaintiff

## II Statement Of Claim

was a Prose Defendant without any assistance from an attorney at anytime during the trial. Due to the distracting shock belt Plaintiff failed to effectively direct examine and cross examine witnesses. Plaintiff also failed to call subpoenaed witnesses to support his defense. Forcing the Plaintiff to wear a malfunctioning shock belt was in violation of Plaintiff's Right to Due Process, effective assistance of counsel, self Representation, and Access To Court.

### (32) Mr. Haber

On 5-10-04 through 5-20-04 in the 213TH Judicial Court in Tarrant County Texas Mr. Haber forced the Plaintiff to wear a shock belt throughout a criminal Jury Trial. In spite of the fact that Plaintiff had made complaints to Mr. Haber about a tingling sensation that occurred occassionally while the Plaintiff wore the shock belt. The shock belt was a distraction to the Plaintiff and prejudiced the Plaintiff defense resulting in Plaintiff receiving a life sentence. Due to the fact the Plaintiff was a Prose Defendant without any assistance from an attorney at anytime during the trial. Due to the distracting shock belt Plaintiff failed to effectively direct examine and cross examine

## V Statement Of Claim

witnesses. Plaintiff also failed to call subpoenaed witnesses to support his defense. Forcing the Plaintiff to wear a malfunctioning Shock belt was in violation of Plaintiff's Right to Due Process, effective assistance of counsel, Self Representation, and Access To Court.

### (33.) Mr. Harrison

On 2.28.04 in the Tarrant County Jail Corporal Harrison ordered the Plaintiff back to his cell from the visitation booth. At the time the Plaintiff had impaired vision due to being sprayed in the eyes with Capsium Pepper Gas (6) days earlier. The Plaintiff had to be escorted to the visitation booth by holding on to an officers shoulder. Plaintiff complied with the order given by Corporal Harrison out of fear in spite of the fact of his inability to see. Plaintiff then subsequently tripped over an object on his way back to his cell and injured his back and leg. The order was in violation to Plaintiff's right to Due Process.

## VI. RELIEF:

**State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.**

See attached Pages

## VII. BACKGROUND INFORMATION:

- A. State, in complete form, all names you have ever used or been known by including any and all aliases:

Allen Fritzsche and Carlton

Allen Fitzgerald Calton

- B. List all TDCJ-ID identification numbers you have ever been assigned and all other state or federal prison or FBI numbers ever assigned to you, if known to you.

426380 TOCT

484586 TDCJ

1123880 T O C J

## VII. SANCTIONS:

- A. Have you been sanctioned by any court as a result of any lawsuit you have filed?**

YES ☒ NO

- B. If your answer is "yes", give the following information for every lawsuit in which sanctions were imposed. (If more than one, use another piece of paper and answer the same questions.)

1. Court that imposed sanctions (if federal, give district and division): \_\_\_\_\_
2. Case Number: \_\_\_\_\_
3. Approximate date sanctions were imposed: \_\_\_\_\_
4. Have the sanctions been lifted or otherwise satisfied?    ☐ YES    ☐ NO

- C. Has any court ever warned or notified you that sanctions could be imposed? YES ☐ NO ☒

- D. If your answer is "yes", give the following information for every lawsuit in which warning was imposed. (If more than one, use another piece of paper and answer

## VI Relief

### (A) Award Compensation, Damages in the following Amounts

1. \$ 1,000,000 against Defendant Tarrant County
2. \$ 1,000,000 against Defendant Dee Anderson
3. \$ 1,000,000 against Defendant Tarrant County Hospital  
J.P.S. Health Network
4. \$ 1,000,000 against Defendant David Cecero
5. \$ 500,000 against each of the following defendants  
D.M. Stromile, Cedric Simon, Eugene Garcia, Gayle  
Gray, Lieutenant Christian, Richard Closner, J. Evans,  
Mr. Guadalupe, Carl Garrett, Charlie Akomas, A Bailey,  
Don C. Taylor, Mr. Felton, Mr. Gracia, Ms Crisp,  
Mr. Collier, Mr. Nieuwehuis, Ms Chandler, James  
Wassener, Daisy May Jackson, Nurse Debbie  
Fenal, Radiologist Curtis, Nurse Jacqueline, Mr.  
Wilson, Mr. Cole, Mr. Derusha, Mr. James Thomas,  
Mr. Haber, and Mr. Harrison

VI Relief

(B) Award Punitive Damages in the following Amounts

1. \$ 250,000 against Defendant Tarrant County

2. \$ 250,000 against Defendant Dee Anderson

3. \$ 250,000 against Defendant Tarrant County Hospital  
J.P.S. Health Network

4. \$ 250,000 against Defendant David Cecero

5. \$ 50,000 against each of the following defendants

D.M. Stromile, Cedric Simon, Eugene Garcia, Gayle Gray, Lieutenant Christian, Richard Clooner, J. Evans, Mr. Guadalupe, Carl Garrett, Charlie Akomas, D. Bailey, Don C. Taylor, Mr. Felton, Mr. Gracia, Ms Crisp, Mr. Collier, Mr. Nieuwehuis, Ms Chandler, James Waggoner, Daisy May Jackson, Nurse Debbie Fernal, Radiologist Curtis, Nurse Jacqueline, Mr. Wilson, Mr. Cole, Mr. Derusha, Mr. Jones Thomas, Mr. Haber, and Mr. Harrison



1. Court that imposed warning (if federal, give the district and division): \_\_\_\_\_
2. Case number: \_\_\_\_\_
3. Approximate date warnings were imposed: \_\_\_\_\_

Executed on: October 28, 2005  
DATE

Allen Calton  
allen Calton  
(Signature of Plaintiff)

#### PLAINTIFF'S DECLARATIONS

1. I declare under penalty of perjury all facts presented in this complaint and attachments thereto are true and correct.
2. I understand if I am released or transferred, it is my responsibility to keep the Court informed of my current mailing address and failure to do so may result in the dismissal of this lawsuit.
3. I understand that I must exhaust all available administrative remedies prior to filing this lawsuit.
4. I understand I am prohibited from bringing an *in forma pauperis* lawsuit if I have brought three or more civil actions in a Court of the United States while incarcerated or detained in any facility, which lawsuits are dismissed on the ground they were frivolous, malicious, or failed to state a claim upon which relief may be granted, unless I am under imminent danger of serious physical injury.
5. I understand <sup>250</sup>even if I am allowed to proceed without prepayment of costs, I am responsible for the entire \$~~150~~ filing fee and costs assessed by the Court, which shall be deducted in accordance with the law from my inmate account by my custodian until the filing fee is paid.

Signed this 28<sup>th</sup> day of October, 20 05.  
(Day) (Month) (Year)

Allen Calton  
allen Calton  
(Signature of Plaintiff)

**WARNING:** The Plaintiff is hereby advised any false or deliberately misleading information provided in response to the following questions will result in the imposition of sanctions. The sanctions the Court may impose include, but are not limited to monetary sanctions and/or the dismissal of this action with prejudice.

### Jurisdiction

1. The Court has jurisdiction over the Plaintiff's claim of violation of Federal Constitutional Rights Under 42 U.S.C. § 1331 (a), 1342, and 28 U.S.C. § 1343 (3)

### Certificate Of Service

I hereby certify that a true and correct original and one copy of this complaint was certified mail return receipt requested to the United States District Court Clerk Fort Worth Division on October 28, 2005 CMRR 7003 2260 0006 7073 6759.

Allen Carlton

David Cecero, C.E.O.  
1500 South Main St.  
Fort Worth, Tx 76104

April 13, 2004

Mr. Cecero,

I am filing this letter as a formal complaint or grievance for being denied medical attention on February 22, 2004. I refused to have a Spinal Tap Procedure and was then subsequently denied medical attention for burning eyes due to being sprayed in the eyes with pepper spray gas. My eyes were burning and my vision was blurred. When I was denied medical attention and discharged from the Emergency Room. I had to have my eyes flushed at Harris Methodist Hospital on February 27, 2004. While receiving emergency room treatment. A response to this complaint would be appreciated at the address below.

Thank You,

Allen Calton

This complaint was certified mail return receipt requested to the above party CMRR# 70022030 0003 4875 6838

Allen F Calton #1123880  
100 N. Lamar St.  
Fort Worth, Tx 76102

Exhibit "A"

## **TARRANT COUNTY SHERIFF'S OFFICE CONFINEMENT BUREAU ADMINISTRATION**



Reference: Inmate Alan Calton

Date: March 16, 2004

The Grievance Appeal Board met on March 15, 2004. Your original grievances, written appeals, and all applicable reports were reviewed. You brought forth [8] separate issues. The Board will address each referencing the original grievance number.

In reference to grievance # 1026, whereby you stated that you were unaware of how to pursue charges against numerous Sheriff's Office personnel for various reasons, you may direct your correspondence to the Tarrant County District Attorney's Office. The Internal Affairs Division of the Tarrant County Sheriff's Office has been contacted by Captain A. Ferrell and requested that you be contacted.

In reference to grievance # 1026 [2] whereby you alleged that you were inappropriately housed, denied gym time, denied single cell occupancy, and not allowed to physically go to the Law Library, the Board finds that you were housed in 56 B based on instruction by Sergeant E. Garcia. Witnesses, and Officer reports corroborate that you struck another inmate on February 10, 2004.

In response to allegations that you attended gym [1] time in eleven days, activity logs for pod 56 B from the timeframe of February 11, 2004, to the date of your Grievance indicate that you were out for rotation multiple times, but there were no specific annotation for gym time. Corrective action has been taken to ensure the pod officer specifically annotates gym time, rotation time, and any refusals to accept such time on daily activity logs.

In response to you not being able to physically go to the Law Library, the Board finds that per current policy, assaultive inmates are not allowed to visit the Law Library. The Pod Officer furnishes Law material upon request. There are numerous entries indicating

Exhibit "B" page 1 of 2

that you have requested and received numerous case and legal paperwork per your requests.

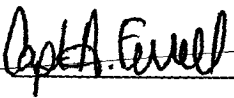
In response to your allegation that several Officers with Capsuim Pepper Spray assaulted you, the Board has reviewed reports, which indicate you refused to place your hands in the food serving port to be handcuffed and removed from your cell. The reason that a shakedown was being conducted was there was weapons found in the tank. To ensure both inmate and Officer safety, all inmates were handcuffed and placed into the dayroom during shakedown.

In response to your allegation that you are single cell occupancy restricted, the Board finds that you are not entitled to a single cell based on your legal materials. You were advised that if a single cell became available we would try to accommodate you.

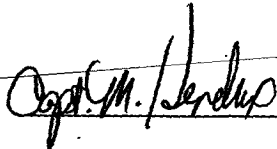
In response to grievance # 1027, the Board finds there has been no disruption of your outgoing mail by mailroom personnel. Outgoing mail is picked up at the end of each individual shift and placed into a mailbox. In response to your allegation that legal mail is opened outside your presence, the Board finds that occasionally, legal mail is inadvertently opened due to inability to readily identify legal mail as such, however the contents are not read. Since receipt of this specific grievance, all outgoing correspondence mailed from you goes directly to Captain A. Ferrell, logged and mailed upon receipt.

In response to grievance # 1028, the Board recognizes similarities in your complaint and defers to the same response indicated in #1026, referencing Law Library usage.

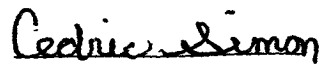
In response to grievance # 1029, the Board finds that property [toothpaste] was released to you on at least one occasion but denied on another. All similar property [ie.] toothpaste placed into your property from another facility has since been released to you on March 22, 2004. However, future requests for services such as releasing property re to be addressed as such and not presented as a grievance as they will not be considered s one.



Captain Amy Ferrell  
Support Services



Captain M. Hendrix  
Booking



Chief Cedric Simon  
Housing

Exhibit "B" page 2 of 2

## **TARRANT COUNTY SHERIFF'S OFFICE CONFINEMENT BUREAU ADMINISTRATION**



Reference: Inmate Allen F. Calton # 0202373

Grievance Appeal # 1046A

Date: April 22, 2004

The Grievance Appeal Board met on April 22, 2004. Your original grievance, written appeal, and all applicable reports were reviewed. In response to your allegation that Officer Barnett, Officer Blacke and Corporal Harrison contributed directly or indirectly to your fall, the Board finds no evidence to support the allegation. Further there is no evidence to support the allegation that Officers are "out to get" you. There will be no further action taken by the Board in this matter

A handwritten signature in cursive script, appearing to read "Capt A Ferrell".

Captain Amy Ferrell  
Support Services

A handwritten signature in cursive script, appearing to read "D.M. Stromile".

Chief Deputy D.M. Stromile  
Support Services

A handwritten signature in cursive script, appearing to read "Cedric Simon".

Chief Cedric Simon  
Housing

Exhibit "C"

## **TARRANT COUNTY SHERIFF'S OFFICE CONFINEMENT BUREAU ADMINISTRATION**



Reference: Inmate Allen F. Calton # 0202373  
Grievance Appeal # 1045 A  
Date: April 2, 2004

The Grievance Appeal Board met on April 2, 2004. Your original grievance, written appeal, and all applicable reports were reviewed. The Board agrees with the original response you received from John Peter Smith Representative, B. Bernalk R.N. You have received medical care in accordance with John Peter Smith Hospital policy and / or procedure. Further or continuous concerns reference your medical care should be directed to the following personnel:

D. Cecero, CEO  
John Peter Smith Hospital  
1500 S. Main Street  
Fort Worth, Texas, 76104.

There will be no further action taken by the Grievance Board in this matter.

A handwritten signature in black ink, appearing to read "A. Ferrell", written over a horizontal line.

Captain Amy Ferrell  
Support Services

A handwritten signature in black ink, appearing to read "M. Hendrix", written over a horizontal line.

Captain M. Hendrix  
Booking

A handwritten signature in black ink, appearing to read "Cedric Simon", written over a horizontal line.

Chief Cedric Simon  
Housing

Exhibit "D"

## **TARRANT COUNTY SHERIFF'S OFFICE CONFINEMENT BUREAU ADMINISTRATION**



Reference: Inmate Allen F. Calton # 0202373

Grievance Appeal # 538 A

Date: April 2, 2004

The Grievance Appeal Board met on April 2, 2004. Your original grievance, written appeal, and all applicable reports were reviewed. Your grievance appeal was received on March 31, 2004. As a result of your grievance, both Captain A. Ferrell and Executive Chief B. Knowles, met with you on April 1, 2004. The determination was made by Chief Knowles to remove you from assaultive status, move you to pod 59 B and allow you physical access to the Law Library thus remedying your Law Library grievances. There will be no further action taken in this matter.

A handwritten signature in cursive script, appearing to read "Capt. A. Ferrell".

Captain Amy Ferrell  
Support Services

A handwritten signature in cursive script, appearing to read "Capt. M. Hendrix".

Captain M. Hendrix  
Booking

A handwritten signature in cursive script, appearing to read "Cedric Simon".

Chief Cedric Simon  
Housing

Exhibit "E"



## TARRANT COUNTY SHERIFF'S OFFICE CONFINEMENT BUREAU ADMINISTRATION



Reference: Inmate Allen F. Calton # 0202373  
Grievance Appeal # 1049 A  
Date: April 22, 2004

The Grievance Appeal Board met on April 22, 2004. Your original grievance, written appeal, and all applicable reports were reviewed. Captain A. Ferrell spoke with John Peter Smith Supervisor Daisy Jackson reference Nurse Jacqueline's conduct, which you have alleged was indifferent. Ms. Jackson advised that the Nurse's care administered was in accordance with John Peter Smith's standards and policy. Further, the Board has been unable to substantiate that Nurses Jacqueline's administered care was in any manner directly or indirectly related to your subsequent fall. Further or continuous concerns reference your medical needs and / or attention received should be directed to David Cecero, 1500 S. Main Street, Fort Worth, Texas, 76104. There will be no further action taken by the Board in this matter.

A handwritten signature in cursive script, appearing to read "Capt A Ferrell".

Captain Amy Ferrell  
Support Services

A handwritten signature in cursive script, appearing to read "D.M. Stromile".

Chief Deputy D.M. Stromile  
Support Services

A handwritten signature in cursive script, appearing to read "Cedric Simon".

Chief Cedric Simon  
Housing

Exhibit "F"

CERTIFIED MAIL



7003 2260 0006 7

Allen Calton #1123880  
Bill Clements Unit  
9601 Spur 591  
Amarillo, TX 79107

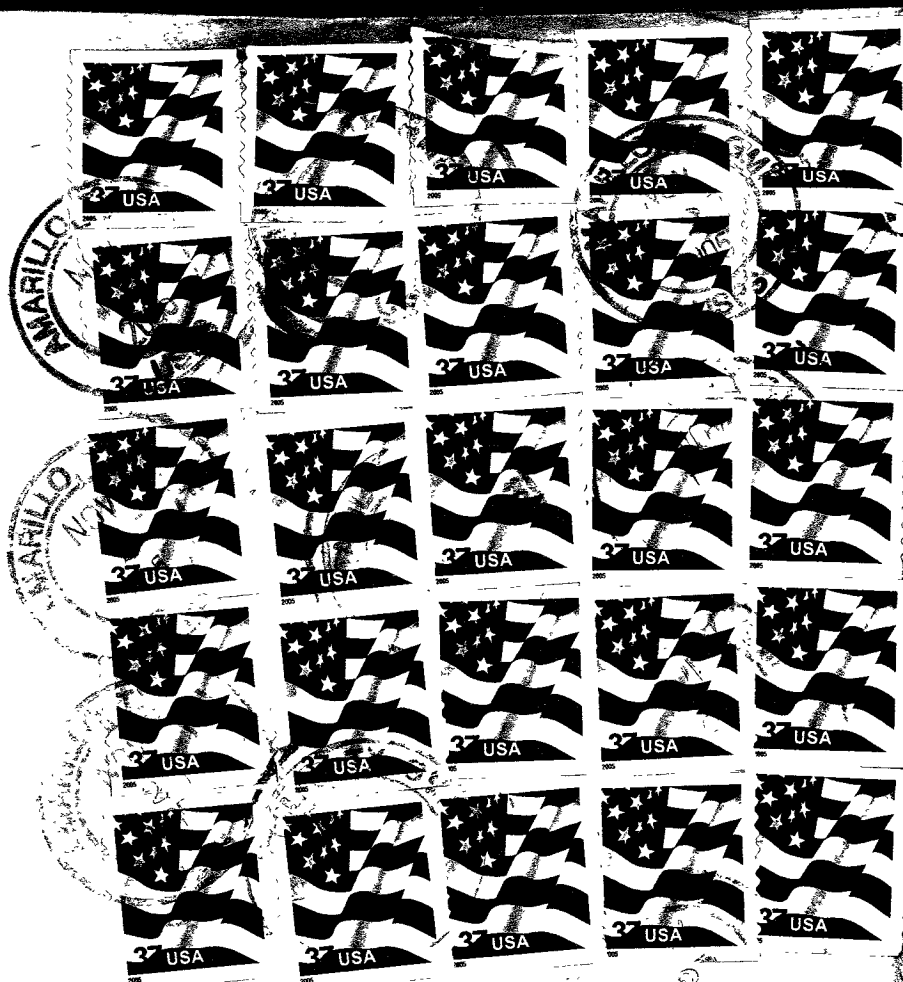
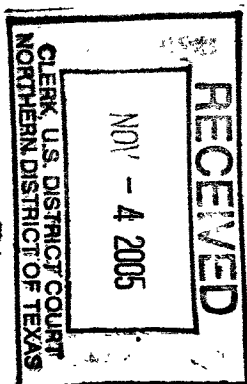


4-05 CV-0703-Y

United States  
Office Of The  
501 West Tenth  
Fort Worth, Tx



073 6759



District Court  
Clerk Room 310  
St.  
76102